

S002874
2006, 2007, 2008

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

JACK SMITH

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

Primary Contact:

JACK SMITH
2000 CEDAR ST
CALISTOGA, CA 94515

Agent:

Address:

Phone No. 707-942-0868

Fax No.

E-mail Address:

Phone No.

Fax No.

E-mail Address:

Source Name: CYRUS CREEK

Tributary To:

County: Napa

Diversion within: SE 1/4 of SW 1/4 Section 36, T 9 N, R 7 W, MDB&M

Year of First Use: 1961

Name of Diversion works:

Assessor Parcel Number
of the Diversion site: 11-184-015

A. **Water is Used Under:** Riparian claim 5002874 Pre-1914 claim _____ Court Decree No.: _____ Other (explain): and 11-410-022

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) _____

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) _____ Gallons per day (gpd) 2800 Cubic feet per second (cfs) _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006			✓	✓	✓	✓	✓	✓	✓	✓			84,000
2007			✓	✓	✓	✓	✓	✓	✓	✓			84,000
2008			✓	✓	✓	✓	✓	✓	✓	✓			84,000

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons _____ Million Gallons (MG) _____ Acre-feet (AF) 2

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006			✓	✓	✓	✓	✓	✓	✓	✓			2 AF
2007			✓	✓	✓	✓	✓	✓	✓	✓			2 AF
2008			✓	✓	✓	✓	✓	✓	✓	✓			2 AF

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 5 acres; Stockwatering _____; Domestic _____;
Other (specify) VINEYARD - FRUIT + NOT TREES - VEGETABLES

Parcel Number(s) of Place of Use: 11-184-015 and 11-410-022

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐
Describe any water conservation efforts you have initiated: Drip + Soaker Irrigation

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO _____
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)
I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO _____
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)
I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: April 26, 2009 at Catipoga, Napa Co., Cal. California

SIGNATURE: _____

PRINTED NAME: _____

Jack
(first name)

A
(middle initial)

Smith
(last name)

COMPANY NAME: _____

ITEM

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.
CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S002874%\$%2003

2004 2001 2002 2003
APR 28 AM 10:29

DIVISION OF WATER RIGHTS
SACRAMENTO

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by August 1, 2004.

***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

Owner of Record: JACK SMITH;

STATEMENT NO.: S002874
CONTACT PHONE NO.: (707)942-0868

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

**JACK SMITH
2000 CEDAR ST
CALISTOGA, CA 94515**

Source Name: CYRUS CREEK
Tributary To: NAPA RIVER
County: Napa
Diversion Within: SE1/4 of SW1/4 Section 36, T09N, R07W, MB&M

Year of First Use: 1961
Parcel Number: 11-184-015
11-410-022

A. Water is used under: Riparian claim S002 874 Pre 1914 right _____ Other (explain); _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are:													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2001			✓	✓	✓	✓	✓	✓	✓	✓			
2002			✓	✓	✓	✓	✓	✓	✓	✓			
2003			✓	✓	✓	✓	✓	✓	✓	✓			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 5 acres; Stockwatering _____; Domestic _____

Other (specify) VINEYARD, Fruit and NOT TREES and VEGETABLE Garden

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐
Describe any water conservation efforts you have initiated: Drip and Soaker Irrigation

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

Reductions in consumptive use:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

JUN 2 2004

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to wastewater reclamation. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to conjunctive use efforts. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: May 18, 2004 at Calistoga, Napa Co., California

SIGNATURE: _____

PRINTED NAME: _____

Jack
(first name)

a
(middle init.)

Smith
(last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE
If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by July 1, 2001.

Owner of Record: JACK SMITH;

JACK SMITH
2000 CEDAR ST
CALISTOGA, CA 94515

Statement No: S002874
Password: 04190110024475
Phone Number: (707) 942-0868

Year of First Use: 1961

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Source Name: CYRUS CREEK

Tributary To: NAPA RIVER

County: Napa

Parcel Number: 11-184-015

Diversion Within: SE1/4 of SW1/4 Section 36, T09N, R07W, MB&M

11-410-022

A. Water is used under: Riparian claim 5002874 Pre 1914 right _____ Other (explain): _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons _____ Acre-feet 2 Other _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1998			✓	✓	✓	✓	✓	✓	✓	✓			
1999			✓	✓	✓	✓	✓	✓	✓	✓			
2000			✓	✓	✓	✓	✓	✓	✓	✓			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 5 acres; Stockwatering _____; Domestic _____;

Other (specify) Vineyard Fruit + Nut Trees + Garden

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Installed NEW pump Mar 2001

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐ Describe any water conservation efforts you have initiated: Drip & Soaker Irrigation

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

Reductions in consumptive use:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to wastewater reclamation. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to conjunctive use efforts. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6 - 1 2001 at Stahistoga Napa County, California

SIGNATURE: _____

PRINTED NAME: _____

Jack
(first name)

a.
(middle init.)

Smith
(last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1998

OWNER OF RECORD: ~~LINUS H. SMITH~~ Jack Smith

~~LINUS H. SMITH~~ Jack Smith
~~1912 SCHOOL ST~~ 2000 Cedar ST.
CALISTOGA, CA 94515

STATEMENT NO: S002874



SOURCE: CYRUS CREEK ^(AT) Intersection of Napa River
TRIBUTARY TO: NAPA RIVER
COUNTY: NAPA
DIVERSION

TELEPHONE NUMBER:
(707) 942-~~9495~~ 0868

YEAR OF FIRST USE: 1961

PARCEL NO: 11-184-015

WITHIN: SE¼ OF SW¼ SECTION 36, T9N, R7W, MB&M.

A. Water is used under: Riparian claim 5002874; Pre 1914 right _____; Other (explain): _____

B. Year of first use (Please provide if missing above) 1961

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons

☒ ² Acre-feet

☐ (other) _____

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1995			✓	✓	✓	✓	✓	✓	✓	✓			
1996			✓	✓	✓	✓	✓	✓	✓	✓			
1997			✓	✓	✓	✓	✓	✓	✓	✓			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 5 acres; Stockwatering _____; Domestic _____

Other (specify) FRUIT + NUT TREES, Grape vines and HOME Garden

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: FEB. 10, 1998 at Calistoga, Napa County, California

SIGNATURE: Jack Smith

PRINTED NAME: Jack A Smith

(FIRST NAME)

(MIDDLE INIT.)

(LAST NAME)

COMPANY NAME: _____

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

WRMS
UPDATED
3/3/98
KRB

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
 "Information Pertaining to Water Rights in California"
 "Water Rights for Stockponds Constructed Prior to 1969"
 "Appropriation of Water in California"

5-2874

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S002874
OWNER OF RECORD: LINUS H SMITH

LINUS H SMITH
1912 SCHOOL STREET
CALISTOGA, CA 94515

STATE WATER RESOURCES
CONTROL BOARD
DIV. OF WATER RIGHTS
SACRAMENTO
1995 APR -4 AM 7:11

Intersection of

SOURCE: CYRUS CREEK +
TRIBUTARY TO: NAPA RIVER
COUNTY: NAPA
DIVERSION

WITHIN: SE¼ OF SW¼ SECTION 36, T9N, R7W, MDB&M.

TELEPHONE NUMBER:
(707) 942-0495

YEAR OF FIRST USE: 1961
PARCEL NO: 11-184-015

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

A. Water is used under: Riparian claim ⁵⁰⁰2874 Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) 1961

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992			✓	✓	✓	✓	✓	✓	✓	✓			
1993			✓	✓	✓	✓	✓	✓	✓	✓			
1994			✓	✓	✓	✓	✓	✓	✓	✓			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic _____

Other (specify) tree fruit, vegetable + home garden
fruit

*** CONTINUE ON BACK PAGE ***

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS **

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: March 27, 1995, at Napa, California

SIGNATURE: Linus H. Smith

PRINTED NAME: Linus H Smith
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: Linus H. Smith

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE
INFORMATION SHEET

STATEMENT NO. 5002874

DIVERSION SITE:

OWNER'S NAME Linus H Smith
(FIRST) (MIDDLE) (LAST)

PARCEL NO. 11-184-015

PLACE OF USE:

OWNER'S NAME Linus Howard Smith
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. 11-184-015

2. PARCEL NO. _____

3. PARCEL NO. _____

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER
NAME Linus Howard Smith
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS 1912 School St
Calistoga CA 94515
(CITY) (STATE) (ZIP)

TELEPHONE NO. (707) 942 - 0495

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____

(CITY) (STATE) (ZIP)

TELEPHONE NO. (_____) _____ - _____

2. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____

(CITY) (STATE) (ZIP)

TELEPHONE NO. (_____) _____ - _____

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL
INFORMATION BOX.

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 002874

LINUS H SMITH
1912 SCHOOL STREET
CALISTOGA, CA 94515

TELEPHONE NUMBER:
(707) 942-0495

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: CYRUS CREEK

TRIBUTARY TO: NAPA RIVER

Intersection of Napa River & Cyrus Creek

COUNTY: NAPA

YEAR OF FIRST USE: 1951

DIVERSION

WITHIN: SE1/4 OF SW1/4 SECTION 36, T09N, R07W, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim ☒; Pre 1914 right ☐; Other (explain) ☐

B. Year of first use (Please provide if missing above) 1951

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ^{1/4} ☐ (other) ☐

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991			✓	✓	✓	✓	✓	✓	✓	✓			
1992			✓	✓	✓	✓	✓	✓	✓	✓			
1993			✓	✓	✓	✓	✓	✓	✓	✓			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2 acres acres; Stockwatering ☐; Domestic home yard
Other (specify) & garden

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 3-2-94, 19 at Calistoga, California

Signature: Mrs Linus Smith

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503

STATE WATER RESOURCES
(916) 322-4503

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1991 FEB 25 PM 12:50

DIV. OF WATER RIGHTS
SACRAMENTO

DIVERTER OF RECORD:

LINUS H SMITH
1912 School Street
CALISTOGA, CA 94515

STATEMENT NO: 002874

TELEPHONE NUMBER:
(707) 942-0495

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: CYRUS CREEK

TRIBUTARY TO: NAPA RIVER

COUNTY: NAPA

DIVERSION

WITHIN: 1/4 OF 1/4 SECTION , T09N, R07W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988			X	X	X	X	X	X	X	X			
1989			X	X	X	X	X	X	X	X			
1990			X	X	X	X	X	X	X	X			

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2 acres

Stockwatering _____

Domestic Famky Garden

Other (specify) _____

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 2-18-91, 19____, at _____, California

Signature: Linus H Smith

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STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

S 2874

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water Linus H. Smith
Address Sea Lot - End of School St.

B. Name of body of water at point of diversion Cypress Creek & Napa River
Tributary to _____

C. Place of diversion 1/4 Section _____, Township _____, Range _____, B&M, Napa County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works _____

E. Capacity of diversion works _____
Capacity of storage reservoir _____
State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
:	:	:	✓	✓	✓	✓	✓	✓	✓	✓	:	:	:

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. _____

Maximum annual water use in recent years 6 acre ft. gallons
Minimum annual water use in recent years 4 acre ft. acre-feet
Type of diversion facility: gravity _____, pump X
Method of measurement: weir _____, flume _____, electric power meter _____, water meter _____, estimate _____

F. Purpose of use (what water is being used for) Walnut trees & family garden

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) _____

H. Year of first use as nearly as known 1941

I. Name of person filing statement Linus H. Smith
Position Owner Organization Culligan's Water Service
Address 1103 Pine St. P.O. Box 392

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed 7-10-67 Signature Linus H. Smith

See Instructions on Reverse Side